

ORIGINAL

Before the
Federal Communications Commission
Washington, D.C.

RECEIVED**MAR 3 1997**Federal Communications Commission
Office of Secretary

In the matter of)	
)	
Amendment of Section 73.202(b))	
Table of Allotments,)	MM Docket No. 96-215
FM Broadcast Stations)	RM-8898 and 8924
(Anamosa and Asbury, Iowa))	

To: Chief, Mass Media Bureau

REPLY TO SUPPLEMENT

Susan I. Coloff, petitioner to allot Channel 239A to Anamosa, Iowa, in the above-captioned proceeding, by her attorneys, hereby submits her Reply to the Supplement filed by Sports America Radio Network ("SARN") which petitioned the Commission to allot Channel 238C3 to Asbury, Iowa. In support thereof, the following is stated.

A. Introduction

In her Reply Comments in the instant proceeding, Coloff showed that her proposed station would provide a first local outlet for Anamosa, Iowa, and serve as the only broadcast facility located in Jones County, of which Anamosa is the County Seat. Coloff further showed that a new station in Asbury, Iowa, would be that community's second local outlet, while its signal would encompass the already well-served, larger adjacent city of Dubuque, Iowa.

In its Supplement, SARN suggests that the proposals for Anamosa and Asbury may both be granted if (1) the proposed Asbury assignment is downgraded from Class C3 to Class

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A; and (2) the reference coordinates of each proposal are changed, so that each allotment has a site restriction. SARN specified reference coordinates for Anamosa (N. Lat. 42° 04' 14", W. Long 91° 20' 10") which would entail a site restriction 6.2 kilometers (3.9 miles) to the southwest of Anamosa. For Asbury, SARN specified reference coordinates (N. Lat. 42° 32' 05", W. Long 90° 43' 32") which would entail a site restriction of 3.1 kilometers (1.9 miles) to the northeast of Asbury.

B. Argument.

As an initial matter, SARN has propounded what is in essence a new proposal to allot a new Class A channel to Asbury. Such proposal was untimely filed in this proceeding. It also was submitted in the context of an unauthorized supplemental pleading. SARN's new, late and unauthorized submission therefore should be rejected on procedural grounds alone.

Furthermore, the specific proposal set forth in SARN's Supplement should in any event be denied. Although Coloff as a general matter may have no objection to a plan which would enable the Commission to allot a new channel to Asbury as well as to Anamosa, such a plan must be fair, reasonable and practicable. SARN's proposal, however, does not satisfy that basic test. As shown by Attachment #1 of the engineering exhibit appended hereto as Exhibit A, the reference coordinates assigned to Anamosa by SARN are at the extreme, narrow tip of the area within which a transmitter site might be located. Acquiring a site within that tiny area would be, at best, problematic. A site away from that point, where it is more likely that a suitable site could be found, would remove the station's transmitter even further away from Anamosa and toward the southern extreme of Jones County.

In this regard, Coloff has stressed the need for a new station which will serve Jones County as a whole, in view of the facts that Anamosa is the County Seat and the county has no other station. Implementing the site restriction proposed by SARN would substantially reduce coverage of the county while also precluding 70 dBu coverage of Monticello, the second largest community in Jones County. In a rural area such as Jones County, coverage of relatively significant local populations, including towns which are small in absolute terms,¹ is an economic necessity for a small, local station. See Exhibit A, Attachment #3. If the Anamosa station could not acquire a site in the narrow tip of the usable area specified by SARN, it would cover even less of Jones County. While such a station would be able to reach the far larger community of Cedar Rapids, with a 1990 U.S. Census population of 108,751, that is not Coloff's objective. See Exhibit A, Attachment #2.²

As shown in Exhibit A, however, a site restriction of 10.72 kilometers (6.66 miles) to the north of Asbury would enable SARN to serve that community -- and the larger city of Dubuque, Iowa -- with a city grade signal, as it would under its own proposal. See Exhibit I Attachments #4, 5. Furthermore, a broader area beyond the geographic coordinates positioned by Coloff would provide an Asbury applicant with alternative sites which also would enable it to serve Asbury and Dubuque. Moreover, curtailing its signal to the

¹Monticello, Iowa has a 1990 U.S. Census population of 3,522 persons.

²Coloff recognizes that an application filed under Section 73.215 of the Commission's rules might enable her to locate her site closer to Anamosa, but she would have to constrain her service in the direction of Monticello, so that she still would be unable to reach the areas of Jones County which would be precluded due to the site restriction suggested by SARN.

southwest, to protect the Anamosa allotment pursuant to Section 73.215, would not prevent SARN or another Asbury applicant from serving the community of license and the adjacent market as initially intended from a short-spaced site.

C. Conclusion.

For the above reasons, Coloff respectfully submits that the Commission should adopt Coloff's proposal without a site restriction. SARN's supplemental proposal to create a site restricted allotment at Anamosa is both late and unauthorized, while it improperly presents an entirely new proposal in the context of this existing rule making proceeding. If a site restriction for the Asbury allotment would allow the Commission to allot a channel to that community, as well, and the Commission decides to make such an allotment, such allotment should not be allowed to have a substantial adverse impact upon the plainly preferable Anamosa allotment. Therefore, a channel may be allotted to Asbury in this proceeding only if such allotment incorporates the site restriction proposed herein.

Respectfully submitted,

SUSAN I. COLOFF

By:


Eric S. Kravetz

March 3, 1997

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Engineering Statement:

The following statement has been prepared on behalf of Susan I. Coloff (Coloff) of Forest City, Iowa. Coloff has petitioned the Commission to amend the table of assignments to assign channel 239A to the community of Anamosa, Iowa as its first FM service and second aural service. A counterproposal was filed by the Sports America Radio Network (SARN), requesting that channel 238C3 be assigned to Asbury, Iowa as the community's second aural FM service. Subsequently, SARN has revised its petition to call for the allocation of channel 238A at Asbury with a site restriction and for a new site restriction to be imposed on the Anamosa proposal.

With the understanding that Susan Coloff's original petition was put forward for the purpose of creating an FM assignment that would serve the economic hub of Jones county, we have been asked to prepare an analysis of the impact the instant SARN petition would have on such service as well as to determine if it is necessary to site restrict both proposals.

1.) SARN proposed Anamosa, CH 239A site restriction:

SARN proposes a 6.2 kilometer site restriction from the center of Anamosa. The map in attachment #1 shows the proposed area to locate. It should be noted that the SARN consulting engineers have located the site in the narrow tip of the northern most point of the newly restricted "area-to-locate". Use of any other site than that proposed for the restricted allocation coordinates would require moving the transmitter to the south southeast to avoid creating a shortspace with KXPW(CP) in Belle Plaine. Therefore, if the allocation site proposed is not available or for some other reason not usable, the distance from the intended city of license will be quickly extended resulting in a significant loss of coverage to Jones county.

2.) Loss of coverage to Jones County:

Attachment #2 shows the 60 dBu signal contour of the Coloff's Anamosa proposal (assuming 6 kW at 100 meters HAAT) in contrast with the 60 dBu signal contour of the SARN proposal (6 kW at 100 meters HAAT). While the Coloff proposal covers 81.29 of Jones County, the SARN covers 70.5 percent.

Attachment #3 shows the 70 dBu signal of the Coloff Anamosa proposal reaching 40.5 percent of Jones county, while the SARN proposal reaches 30.4 percent of the county.

3.) Contrast of SARN's proposed Asbury site restriction with Coloff's proposal:

Attachment #4 is a map of the area in which a channel 238A transmitter could be located under the site restrictions (including that at Anamosa) proposed by SARN. Superimposed on this map is a plot of the 60 dBu coverage that would result from a full facility station built at the proposed allocation site.

Attachment #5 is a map showing the area-to-locate that would result at Asbury if no site restriction were imposed on the Anamosa allocation. It shows that if a site restriction of 10.72 km (north) were applied, a station at the allocation site would provide a 70 dBu or better signal to all of Asbury. Further, the 70 dBu would cover the city of Dubuque (and Platteville) as would the original SARN class A proposal.

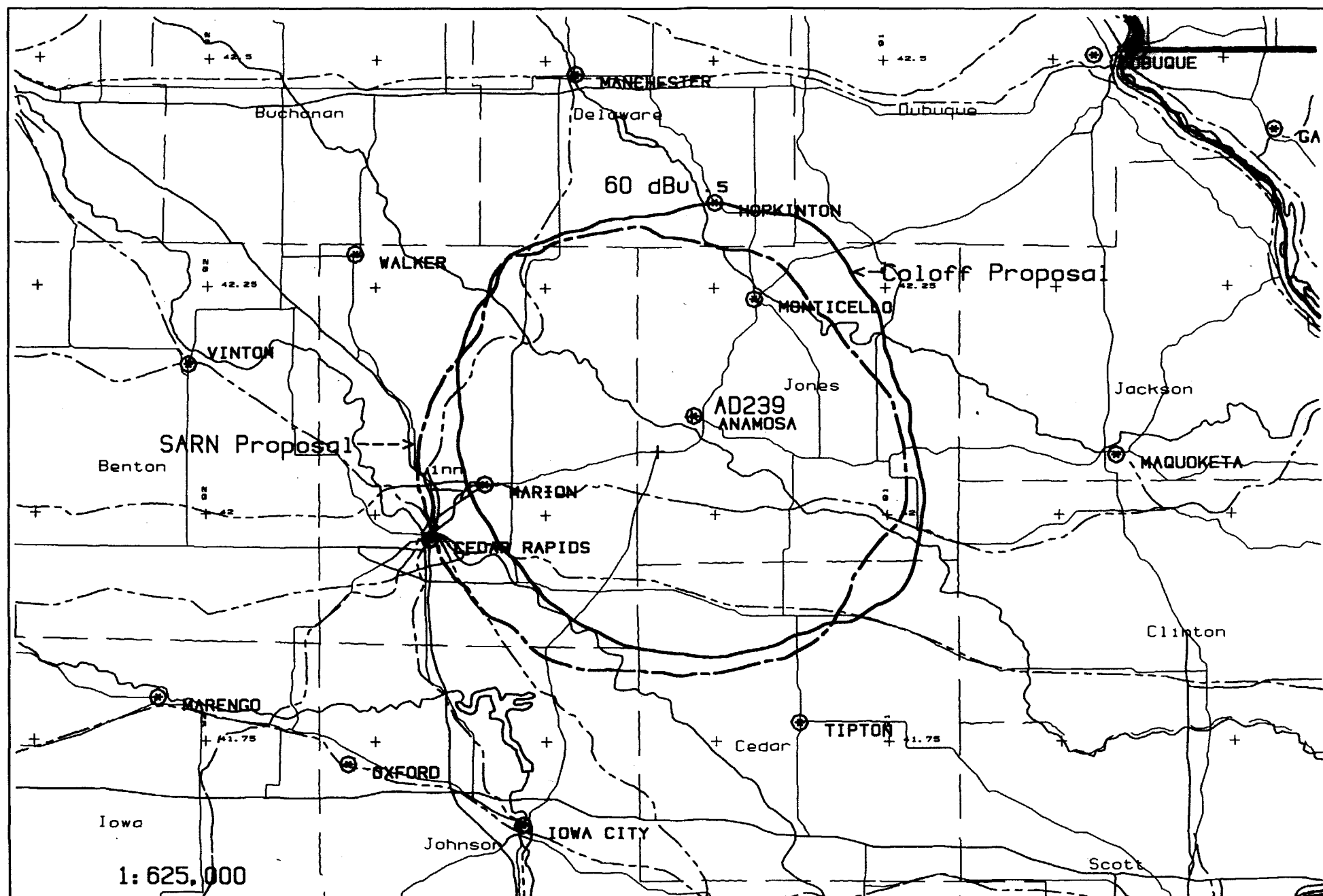
Consequently, both allocations could be assigned with the need to restrict the transmitter site of only one the proposals at Asbury.

Attachment #6 is tabulation channel study of channel 239A at Anamosa under the site restriction proposed by SARN.

Attachment #7 is a similar channel study using the site restriction for channel 238A at Asbury proposed by SARN.

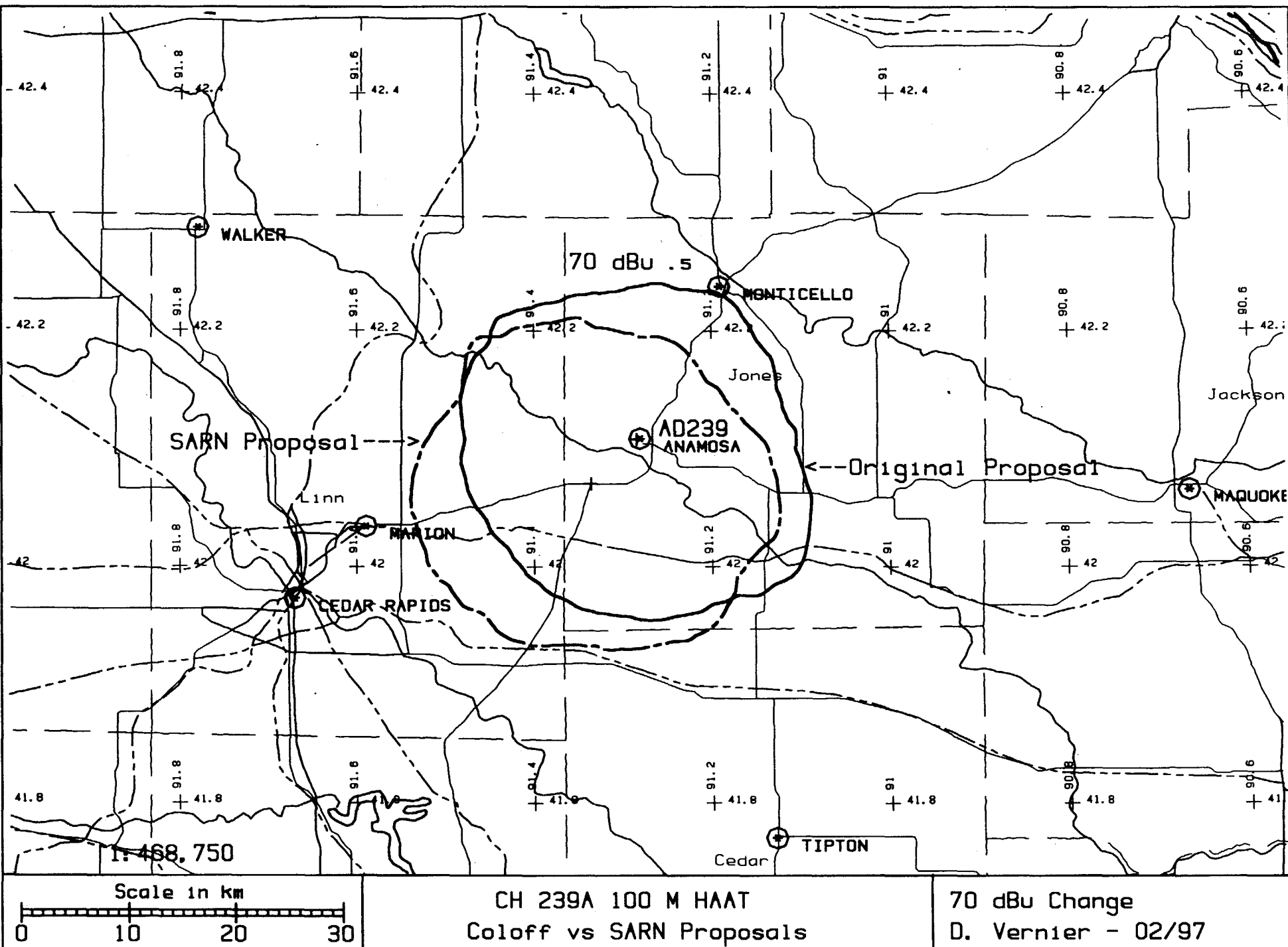
Attachment #8 is a channel study of the Asbury allocation under the site restriction proposed by Coloff.

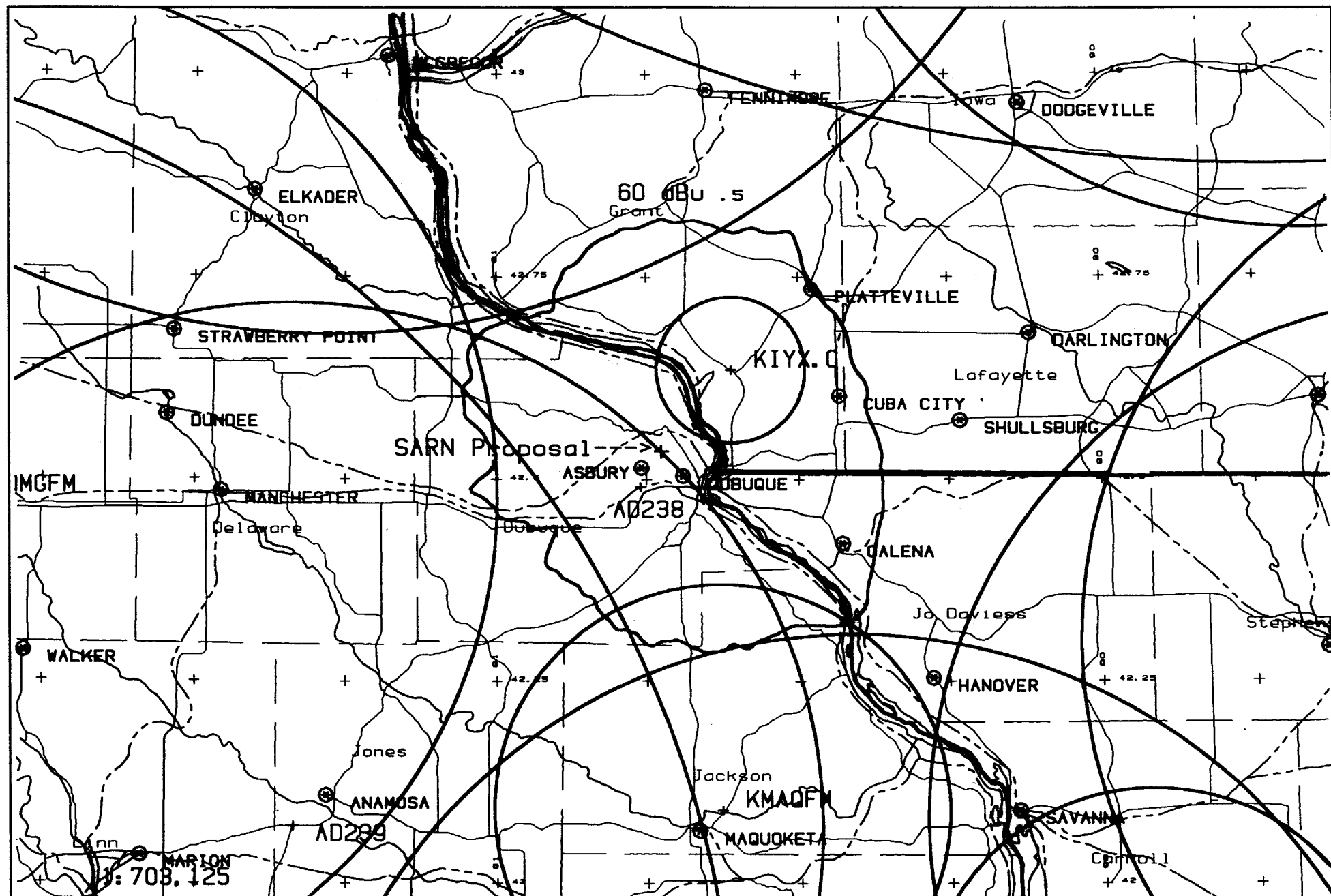
Attachment #9 is a statement of the qualifications of the preparer.



CH 239A 100M HAAT
Coloff vs SARN Proposals

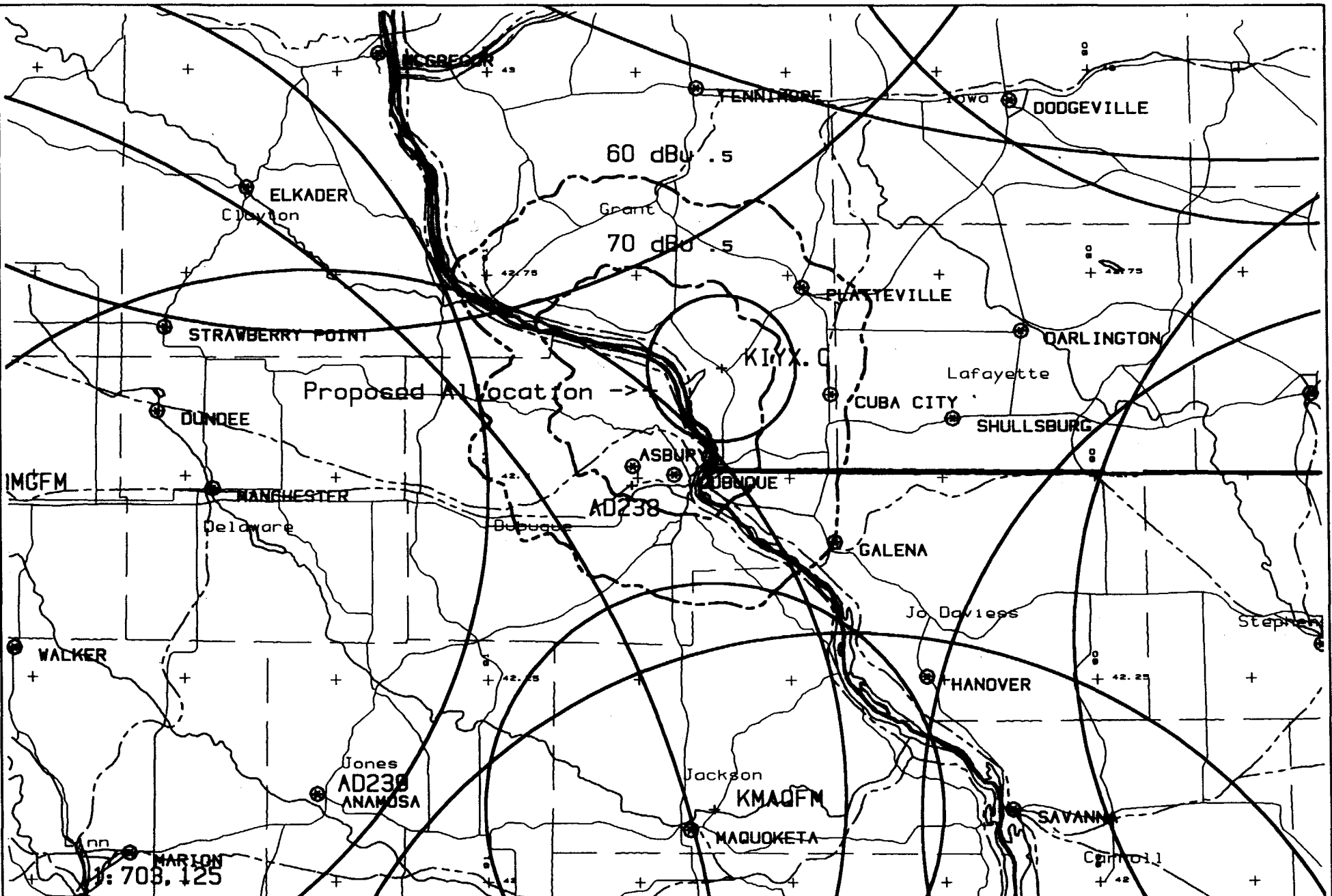
Allocation Site Coverage
D. Vernier - 02/97





ASBURY 238A 6kW 348.45M AMSL
N. Lat. 42 32 05 W. Lng. 90 43 32

Site Restricted Coverage
D. Vernier - 02/97



Scale in km 0 10 20 30 40	CH 238A 6kW 340.55 M AMSL N. Lat. 42 36 31 W. Lng. 90 43 42	Coloff Asbury Proposal D. Vernier - 02/97
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DOUG VERNIER - TELECOM CONSULTANTS
1600 PICTURESQUE DR. CEDAR FALLS IA 50613

Attachment #6

SARN Anamosa Class A proposal

Includes SARN site restriction proposal for CH 238 Asbury

REFERENCE

42 04 14 N

91 20 10 W

CLASS = A

Current Spacings

DISPLAY DATES

DATA 02-14-97

SEARCH 02-19-97

----- Channel 239 - 95.7 MHz -----

Call	Channel	Location	Dist	Azi	FCC	Margin
AD239	AD 239A	Anamosa IA	5.96	45.1	114.5	-108.54
AD238	AD 238A	Asbury IA	72.06	44.0	71.5	0.56
KXPW.C	CPM 238C3	Belle Plaine IA	89.20	246.4	88.5	0.70
WTRV	LI 239C2	La Crosse WI	173.60	1.4	165.5	8.10
KMXG	LI 241C1	Clinton IA	90.95	122.1	74.5	16.45
KMAQFM	LI 237A	Maquoketa IA	58.59	87.6	30.5	28.09
KMAQFM	CP 236A	Maquoketa IA	58.59	87.6	30.5	28.09
KQMGFM	LI 237A	Independence IA	63.18	315.7	30.5	32.68
WSEY.C	CPM 239A	Mount Morris IL	158.67	89.3	114.5	44.17
KCIIFM	LI 237A	Washington IA	90.55	200.2	30.5	60.05
KCQQ	LI 293C1	Davenport IA	86.66	133.0	21.5	65.16
KIIKFM	LI 240A	Fairfield IA	136.74	207.8	71.5	65.24
KQWCFM	LI 239C3	Webster City IA	207.74	283.1	141.5	66.24
KZME.A	AP 241A	Hudson IA	98.55	293.2	30.5	68.05
KCQQ.C	CPM 293C1	Davenport IA	90.95	122.1	21.5	69.45
KZME.C	CP 241A	Hudson IA	103.47	290.7	30.5	72.97
KCOBFM	LI 240A	Newton IA	144.57	255.6	71.5	73.07

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Attachment #7

SARN Asbury Class A proposal

Includes SARN site restriction proposal for CH 239 Anamosa

REFERENCE

42 32 05 N
90 43 32 W

CLASS = A

Current Spacings

DISPLAY DATES

DATA 02-14-97
SEARCH 02-23-97

----- Channel 238 - 95.5 MHz -----

Call	Channel	Location		Dist	Azi	FCC	Margin
AD238	AD 238C3	Asbury	IA	5.64	210.1	141.5	-135.86
AD239	AD 239A	Anamosa	IA	72.06	224.4	71.5	0.56
KIYX.C	CP 291A	Sageville	IA	14.63	39.9	9.5	5.13
KXPW.C	CPM 238C3	Belle Plaine	IA	158.23	236.8	141.5	16.73
KMAQFM	CP 236A	Maquoketa	IA	49.98	170.8	30.5	19.48
KQMGFM	LI 237A	Independence	IA	94.62	266.4	71.5	23.12
WTRV	LI 239C2	La Crosse	WI	130.22	339.8	105.5	24.72
KMXG	LI 241C1	Clinton	IA	103.52	165.4	74.5	29.02
WSEY.C	CPM 239A	Mount Morris	IL	119.38	115.1	71.5	47.88
WIFC	LI 238C	Wausau	WI	277.85	17.0	225.5	52.35
WKMQ	LI 237A	Winnebago	IL	131.36	101.4	71.5	59.86
WOLXFM	LI 235B	Baraboo	WI	132.23	40.9	68.5	63.73
WZZT	LI 236A	Morrison	IL	101.83	139.3	30.5	71.33

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Attachment #8

Coloff - Asbury Proposal

REFERENCE

42 36 31 N
90 43 42 W

CLASS = A

Current Spacings

DISPLAY DATES

DATA 02-14-97
SEARCH 02-23-97

----- Channel 238 - 95.5 MHz -----

Call	Channel	Location		Dist	Azi	FCC	Margin
AD239	AD 239A	Anamosa	IA	72.05	219.6	71.5	0.55
KIYX.C	CP 291A	Sageville	IA	10.09	72.7	9.5	0.59
WTRV	LI 239C2	La Crosse	WI	122.47	338.5	105.5	16.97
KXPW.C	CPM 238C3	Belle Plaine	IA	162.67	234.4	141.5	21.17
KQMGFM	LI 237A	Independence	IA	95.26	261.4	71.5	23.76
KMAQFM	CP 236A	Maquoketa	IA	58.13	171.9	30.5	27.63
KMXG	LI 241C1	Clinton	IA	111.53	166.3	74.5	37.03
WIFC	LI 238C	Wausau	WI	270.09	17.6	225.5	44.59
WSEY.C	CPM 239A	Mount Morris	IL	123.28	118.6	71.5	51.78
WOLXFM	LI 235B	Baraboo	WI	126.31	43.4	68.5	57.81
WKMQ	LI 237A	Winnebago	IL	133.44	104.9	71.5	61.94

Declaration:

I, Doug Vernier, declare that I have studied engineering at the University of Michigan and have received degrees from the University in the field of Broadcast Telecommunications. That, I have been active in broadcast consulting for over 24 years;

That, I have held a Federal Communications Commission First Class Radiotelephone License continually since 1964. In 1985 this license was reissued by the Commission as a lifetime General Radiotelephone license no. PG-16-16464;

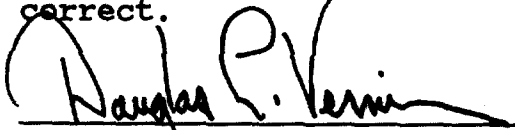
That, I am certified as a Professional Broadcast Engineer (#50258) by the Society of Broadcast Engineers, Indianapolis, Indiana. (Recertified 11/95.)

That, my qualifications are a matter of record with the Federal Communications Commission;

That, I have been retained by Susan I. Coloff, of Forest City, Iowa to prepare the engineering showings appended hereto;

That, I have prepared these engineering showings, the technical information contained in same and the facts stated within are true of my knowledge;

That under penalty of perjury, I declare that the foregoing is correct.



Douglas L. Vernier

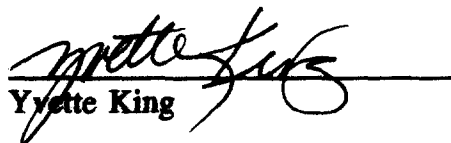


Executed on February 24, 1997

Certificate of Service

I, Yvette King, a Secretary of Brown, Nietert & Kaufman, Chartered do hereby certify that I have caused a true copy of the foregoing "Reply to Supplement" to be sent on the 3rd day of March, 1997 via first-class, U.S. mail, postage prepaid, to the following:

Eugene T. Smith, Esq.
715 G Street, S.E.
Washington, D.C. 20003


Yvette King